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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,665	03/15/2004	Ming Tang Huang	MR2349-999	8573
4586	7590	05/03/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			WALBERG, TERESA J	
			ART UNIT	PAPER NUMBER
			3753	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/799,665	<b>Applicant(s)</b> HUANG, MING TANG	
	<b>Examiner</b> Teresa J. Walberg	<b>Art Unit</b> 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☒ Claim(s) 5 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin (6,672,374).

Lai discloses a heat dissipation module having the claimed structure including a heat dissipation device having a plurality of fins (30), a fan fixing frame (Fig. 3, 4) located on the heat dissipation device (30) and having a top plate, an opening hole (200), four connection holes (206 in Fig. 3) to which the fan is attached by screws (col. 4, lines 27-35), four posts (202), and a plurality of elastic pressing components (204b), the posts (202) extending from the four corners and having clipping elements (203), a fan fixed on the top plate (Fig. 4), the fan fixing frame being disposed on the retention frame (11), and the clipping elements (203) clipping holes (112, 113) at four supporting protrusions of the retention frame(see Fig. 5), the elastic pressing components (204b) pressing the heat dissipation device (30), and baffles (208, 208b) extending downwardly to abut outer edges of the heat dissipation device (30, Fig. 5).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (6,672,374) in view of Simon et al (2004/0047129). Lin discloses a heat dissipation device having the claimed structure with the exception of the heat dissipation having a through hole with flow passageways penetrating the surfaces. Simon et al disclose a heat transfer device including a central through hole with flow passageways penetrating the surfaces (see Fig. 3). It would have been obvious in view of Simon et al to provide a heat transfer device having a central through hole and flow passageways penetrating the surfaces in the heat dissipation device of Lin to enable greater air flow and more even cooling.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (6,672,374) in view of Simon et al (2004/0047129) as applied to claim 2 above and further in view of Doll (6,796,370). Lin in view of Simon et al disclose a heat dissipation device having the claimed structure with the exception of a thermal conductive plate fixed to the bottom surface of the heat dissipation device. Doll discloses a heat transfer device including a thermal conductive plate (18) to increase heat flow to a heat dissipation device (see Fig. 2A). It would have been obvious in view of Doll to provide a thermal conductive plate in the heat dissipation device of Lin in view of Simon et al to enable greater air flow and more even cooling.

6. Claims 5 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

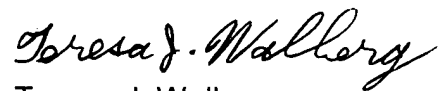
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen, Clemens, Kuo, Lee et al, Lai, Rubenstein, and Shia et al are cited to show heat dissipation devices.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Teresa J. Walberg whose telephone number is 571-272-4790. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Mancene can be reached on 571-272-4930. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, reading "Teresa J. Walberg". The signature is written in a cursive, flowing style.

Teresa J. Walberg

Primary Examiner

Art Unit 3753

tjw